

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ISAAC ARON, on behalf of all others similarly situated,

Plaintiff,

V.

CRESTWOOD MIDSTREAM PARTNERS, LP,  
CRESTWOOD MIDSTREAM GP, LLC, ROBERT  
G. PHILLIPS, ALVIN BLEDSOE, MICHAEL G.  
FRANCE, PHILIP D. GETTIG, WARREN H.  
GFELLER, DAVID LUMPKINS, JOHN J.  
SHERMAN, DAVID WOOD, CRESTWOOD  
EQUITY PARTNERS LP, CRESTWOOD  
EQUITY GP LLC, CEQP ST SUB LLC, MGP GP,  
LLC CRESTWOOD MIDSTREAM HOLDINGS  
LP, AND CRESTWOOD GAS SERVICES GP,  
LLC,

Civil Action No. 4:15-cv-1367

## Defendants

**AFFIDAVIT OF ERIC J. MILLER REGARDING MAILING OF  
NOTICE OF PENDENCY OF CLASS ACTION, PROPOSED  
SETTLEMENT OF CLASS ACTION, AND SETTLEMENT HEARING**

**STATE OF WISCONSIN            )**  
**) ss.**  
**MILWAUKEE COUNTY          )**

I, Eric J. Miller, being duly sworn, certify as follows:

1. I am the Vice President of Case Management at A.B. Data, Ltd.’s Class Action Administration Company (“A.B. Data”). My business address is 3507 Kyoto Gardens Drive, Suite 200, Palm Beach Gardens, FL 33410 and my

telephone number is 561-252-7720. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. I submit this Affidavit in order to provide the Court and the parties to the above-captioned derivative litigation (the “Action”) with information regarding the mailing of the Notice of Pendency of Class Action, Proposed Settlement of Class Action, and Settlement Hearing (the “Notice”).

3. A.B. Data was retained by counsel for the Defendants to serve as the Notice Administrator in this Action. As Notice Administrator, it is A.B. Data’s role to supervise and administer the notice program in connection with the proposed Settlement. A.B. Data’s fee includes the reimbursement of fixed expenses such as postage, and professional fees for work associated with effectuating the notice program. A.B. Data’s fee is not based on the outcome of the proceedings in this Action.

4. On Monday, June 27, 2016, A.B. Data served notice on the appropriate state official of each state in which members of the Class reside and the appropriate federal official, a notice of the Notice, in compliance with 28 U.S.C Sections 1715(b)(1)-(8).

5. In particular, we served a copy of the cover letter attached hereto as Exhibit A on each of the 61 state or federal officials included on Exhibit B hereto,

via USPS Priority Mail. Included with each cover letter was a CD-ROM, which included copies of the following documents as PDF files: a) Class Action Complaint filed May 20, 2015; b) Lead Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement dated June 15, 2016; and c) Declaration of Juan E. Monteverde in Support of Lead Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, plus exhibits thereto, dated June 15, 2016.

6. Pursuant to the June 21, 2016 Order Preliminarily Approving Settlement and Providing for Notice (the "Preliminary Approval Order"), A.B. Data was responsible for disseminating the Notice to members of the Class. A true and correct copy of the Notice is attached hereto as Exhibit C.

7. On June 30, 2016, A.B. Data received from American Stock Transfer & Trust Company, LLC a data file containing the names and addresses of 115 record holders and beneficial owners of record who held units of Crestwood Midstream Partners LP ("Crestwood Midstream") during the period beginning on and including May 5, 2015 through and including September 30, 2015 (the "Record Holder List").

8. A.B. Data standardized and updated the Record Holder List addresses using NCOALink®, a national database of address changes that is compiled by the United States Postal Service (the "USPS").

9. In addition, A.B. Data maintains a proprietary database (the “Nominee Database”) with the names and addresses of 4,419 domestic brokerage firms, banks, financial institutions and other nominee purchasers (“Nominees”). The Notice requests that Nominees who held Crestwood Midstream units on behalf of a beneficial owner either (a) forward the Notice to those beneficial owners, or (b) provide a list of names and addresses of such beneficial owners to A.B. Data, so that A.B. Data could provide the beneficial holders with a copy of the Notice.

10. For the initial mailing, A.B. Data created a file containing all of the names and addresses from both the Record Owner List and the names and addresses of the Nominees contained in the Nominee Database (collectively, the “Mailing List”). On July 13, 2016, A.B. Data caused the Notice to be mailed by United States mail, first class, postage pre-paid, to the 4,534 names and addresses on the Mailing List.

11. Since the initial mailing on July 13, 2016, A.B. Data has received requests from 37 Nominees to either mail additional copies of the Notice to such Nominees for distribution to their customers, or to mail copies of the Notice directly to the Nominees’ customers whose identifying information was sent to A.B. Data. All such requests were processed within 7 business days of receipt. As a result of these requests from Nominees, as of October 3, 2016, A.B. Data

provided an additional 10,984 Notices to Nominees for distribution and A.B. Data mailed an additional 34,277 Notices directly to Nominees' customers.

12. As of October 3, 2016, the USPS has returned 825 Notices as undeliverable as addressed ("UAA"), without forwarding addresses. A.B. Data has been able to locate 185 new addresses through LexisNexis, an information supplier to which A.B. Data subscribes. A.B. Data promptly re-mailed the Notices to these updated addresses. Additionally, the USPS has returned 104 Notices as UAA with forwarding addresses; A.B. Data promptly re-mailed the Notice to these forwarding addresses.

13. As a result of the efforts described above, as of October 3, 2016 A.B. Data has mailed a total of 50,145 Notices.

14. Pursuant to Paragraph 10 of the Preliminary Approval Order, any member of the Settlement Class who wishes to object to the proposed Settlement, were to file such objection with the Court and serve it upon Counsel listed in Paragraph 10 no later than twenty-one (21) calendar days prior to the Settlement Hearing.

15. As of the date of this affidavit, A.B. Data has received one late objection to the Settlement, a copy of which is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing statements are true and correct. Executed this 3<sup>rd</sup> day of October, 2016 at Milwaukee, Wisconsin.



Eric J. Miller

Sworn to before me this  
3<sup>rd</sup> day of October, 2016



Steven Straub  
Notary Public

